IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.6981 OF 1995
IN
APPEAL FROM ORDER NO.1418 OF 1995

Shri Mahadeo H. Nigune. ..Applicant.

V/s.

Shri Indulal R. Shah & Ors. ..Respondents.

Mr.R.S.Apte & Rajendra B. Jagtap for applicant.

CORAM: A.M.KHANWILKAR,J

DATE : JANUARY 9, 2006.

P.C. :

1. Heard counsel for the applicant.

2. This application is for condonation of delay in filing appeal from order against the order passed by the 5th Joint Civil Judge, S.D., Pune dated 5th October, 1994. By that order application for interim injunction during the pendency of the suit taken out by the applicant came to be rejected. The present appeal against that order has been filed which is barred by 23 days.

3. During the pendency of this application as the applicant failed to take necessary steps with regard to the respondent Nos. 2, 7, 9, 10, 11 and 12

and also in respect of Respondent Nos. 3, 4(A) and 4(B), proceedings have been dismissed on account of conditional order passed by the the Additional Registrar on 22nd September, 1999. No steps have been taken by the applicant for recall of the order passed by the Additional Registrar. Suffice it to observe that no interference is warranted in the peculiar facts of the present case. Hence this application is rejected.